

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler  
v. : Criminal No. 12-131  
MICHAEL CALABRETTA, et. al. : O R D E R

This matter having been opened to the Court on application of the parties, Paul J. Fishman, United States Attorney for the District of New Jersey (Randall Cook, Assistant U.S. Attorneys, appearing), and defendants Michael Calabretta (John Meringolo, Esq., appearing) and Kenneth Martin (Darren Gelber, Esq., appearing), and good cause having been shown, the Court makes the following findings:

1. This case is sufficiently complex, due to the number of related defendants and nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and trial within the time limits established by Title 18, United States Code, Section 3161;

2. Additional scientific analysis is needed for certain electronic and forensic evidence in this case, and failure to grant a continuance would deny counsel for defendants and the Government reasonable time necessary for effective preparation of this case, taking into account the exercise of due diligence;

3. That discovery in this case includes voluminous records, requiring additional time for counsel to analyze and prepare;

4. That plea negotiations between the parties are ongoing and may result in resolution without need for trial;

5. That the failure to grant a continuance would unreasonably deny the parties continuity of counsel and forum;

6. That two continuances has previously been entered by this Court with respect to this matter;

7. That the parties are aware of their right to a speedy trial;

8. That the parties consent to the adjournment; and

9. That the ends of justice served by a continuance of the trial date in this matter until February 4, 2013 outweigh the interest of the public and the defendants in a speedy trial.

IT IS, therefore, on this 10 day of August, 2012,

ORDERED that the period of time from December 1, 2012 through February 4, 2013 shall be excluded for the purposes of computing time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(ii), and (h)(7)(B)(iv); and it is further

ORDERED that:

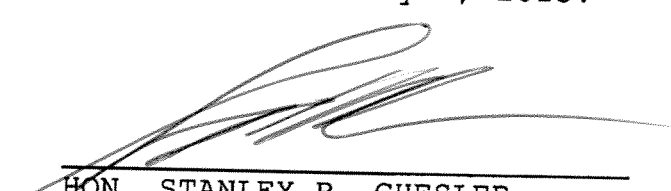
1. The Defendants shall file pre-trial motions on or before October 15, 2012;

2. The Government shall respond to pretrial motions on or before November 5, 2012;

3. Defendants shall file any reply papers on or before November 12, 2012;

4. Hearings, if any, on pre-trial motions, shall be conducted as determined by the Court.

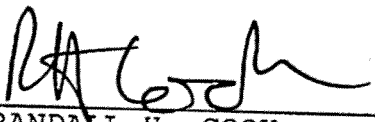
5. Control date for trial is February 4, 2013.




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HON. STANLEY R. CHESLER  
United States District Judge

Signed for the Parties:

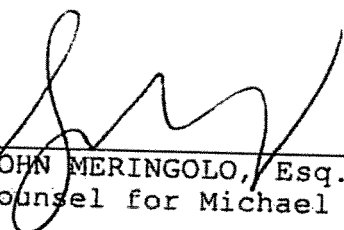
  
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RANDALL H. COOK  
Assistant U.S. Attorney

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JOHN MERINGOLO, Esq.  
Counsel for Michael Calabretta

  
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DARREN GELBER, Esq.  
Counsel for Kenneth Martin

Signed for the Parties:

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RANDALL H. COOK  
Assistant U.S. Attorney

  
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JOHN MERINGOLO, Esq.  
Counsel for Michael Calabretta

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DARREN GELBER, Esq.  
Counsel for Kenneth Martin